

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI

Jeffrey J. Jackson  
v.  
Plaintiff

Wexford Health, Doctor

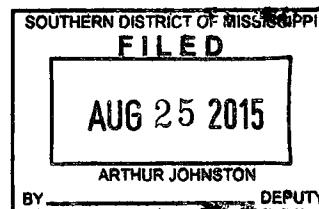
Roland Abangani, Deputy

Wardene Ray Rice, Lt. Brown

Nurse Dell, nurse Daniel,

Nurse Cox, Nurse Brookshire et.al  
Defendants

Case No. 3:15cv624-DPJ-FKB



Complaint with Jury Demanded

Introduction

This is a Civil rights action filed by Jeffrey J. Jackson #100300. A prisoner for punitive damages and injunctive relief under 42 U.S.C. § 1983. Alleging cruel and unusual punishment, Denial of Due Process, Denial of Medical Care, Retaliation and Personal Safety in violation of Due Process of the Fourteenth Amendment to the Constitution. In violation of First, Eighth and 5<sup>th</sup> et.al Amendments to the United States Constitution.

Jurisdiction

1. The courts has jurisdiction over the Plaintiff's claims of violation of Federal Constitutional right under 42 U.S.C. §§ 1331(1) and 1343.
2. The courts has supplemental jurisdiction over the Plaintiff's state law tort claim under 28 U.S.C. § 1337.

Parties

1. The Plaintiff, Jeffrey J. Jackson #100300 was incarcerated at East Meridian Correctional Facility (E.M.C.F) During the event described in this Complaint.

2. Defendant. Ray Rice is Deputy Warden, Administrator employed at East Meridian Correctional Facility, he is sued in his individual capacity.
3. Defendants : Administrative Medical Staff. Nurse Dell, Nurse Cox. Nurse Daniel and Nurse Brookshire are medical providers at East Meridian Correctional Facility they are sued in their individual capacities.
4. Defendant. Medical Doctor Roland Abangau is a Doctor at East Meridian Correctional facility. He is sued in his individual capacity.
5. Defendants : Wexford Health Sources Incorporated is a Company over Medical staff At E.M.C. F. They are sued in there official and individual Capacities.
6. Defendant Lieutenant Brown is a Correctional Shift Supervisor At E.M.C.F. He is sued in his individual capacity.
7. All the Defendants have Acted under color of State Law at all times relevant to this Complaint. Constitutes cruel and unusual punishment, in violation of the Eighth Amendment.

Facts

ON October 25, 2014. at Approximate 1:30 AM. While walking Around the zone as I-D, before lock down hour. I was assaulted by 6 offenders housed @no I-D AT E.M.C.F. I was stabbed in the back @times. One stab wound was to my lower back bone. Which I'm having serious problems with now. See all attached Exhibits and Medical Requests. I have to get steroid shot's.

every 6 months. Plus I'm taking steroid pills called Prednisone. I have to take these pills everyday to help my back. The second stab wound was to the lungs. Which caused my lungs to internal bleed for more than 8 hours. This was very uncomfortable for me. The internal bleeding had caused my heart to start hurting all night. I told the nurses and officers on that shift. But to my disadvantage, I had to lay on the floor. I was having problems breathing and my vision kept getting blurry. Then that's when I lost my full vision completely passing out. "They all stated, "Ain't nothing wrong with you get up," "we then put stitches on your wounds." I stated to them that my stitches had come open. That I need somebody to check on them. I told Nurse Dell, that I still blood running down my back. No one never came to check on me. They kept doing what they was doing. I layed on the floor all night till morning screaming for help. Till I finally manage to rub my back and getting some blood on a "vanilla folder" saying help me." I waved this folder for hours till shift change. I later spoke with Nurse Inge. I showed her my wounds and that's where she stated this convict go to go to the hospital. I was admitted into Anderson Medical Center at approx 8:33 that morning of October 25, 2014, Doctor Stephen Tartt M.D. Admitted me into room #0346-1 at 9:21. See Attached Copy of Exhibit-C, Discharge Teaching Summary. Doctor Stephen stated to me 30 more minutes and you probably would've made it. And turn to the escorting officer's stating the same. Up on return to E.M.C.F. on October 29, 2014, Warden Ray Rice

And other officers that was on escort that day, they all refused to let me keep my breathing respiratory. Back at E.M.C.F, I was placed in Medical holding cell from October 29, 2014 till November 5, 2014. There Doctor Roland Abangen refused to give me ANY pain medication that was prescribed to me nor did he reorder ANY. I suffered painfully every night needing pain medication. And as of today still going threw the same problems. Once I was released from Medical Observation, I was illegally housed on 5-B in segregation, when they should have sent me to another facility. The Administrative Staff and medical staff both acted and continue to act under color of state law at all times relevant to everything in this complaint. Constitutes cruel and unusual punishment in violation of the Eighth Amendment.

#### Cruel and Unusual Punishment

While being seen by medical staff, Defendant Lieutenant, Brown shift supervisor stated "I called Warden Ray Rice." And he said to send you back to 1-D, back to the same zone." I stated I just got stabbed on that zone and yall gone force me to go back. I then stated I have wrote everybody trying to get moved off that zone. That I even done a A.R.P. But still was force to stay on that zone. I told Lieutenant Brown, I would go back to the zone but first let me catch my breath. Then that's when I started to see stars, my vision had got blurry and that's where I passed out on the searcher again. Once I came back to my sense's "he stated we gone fuck you up and threw you back on the zone if you don't get your ass up".

All night From the time of the incident till Shift change that morning. I called one each nurse and each officer's stating that I need help, that my heart was hurting bad. They all stated "we checked your vitals and put liquid stitches on your wounds, that ain't nothing wrong with me." Then little wounds ain't hurting you." That morning I talk to Nurse INge and that's when she said this Convict got to go to the Emergency Room now. Going to Anderson Medical Hospital there they Examined me. And said I was hit in the Lungs. That I will need A chest tube and that I would have to get admitted in the Hospital.

### Denial of Due Process

1. Pursuant to prison procedures the plaintiff Filed A A.R.P. to the Administrative Remedy Program on 11-13-14. Which was picked up on 11-20-14, Signed by Notary Service see attached Exhibit-A.
2. Plaintiff states that officials at E.M.C.F told Family members, State Representative Ms. Linda Coleman AND Lawyer that didn't Nothing happen to me. But Finally told the truth once I got out the Hospital. See attached Exhibit-B
3. Plaintiff later filed AN A.R.P to investigator Mr. Cooley here At S.M.C.I, Seeking first step response. On 1-16-15, he Forward it to E.m.c.f, dated 1-13-15, see attached Exhibit-C with E.m.c.f response At the bottom.

4. Plaintiff States that he never receive the orginal Filed A.R.P Form E.M.C.F-14-2486
5. Plaintiff states that he sent a fast and speedy A.R.P. to E.M.C.F. seeking a response which was dated 1-13-15, see attached Exhibit -D And there response Exhibit -E.
6. Numerous of A.R.P's and letters was submitted seeking all steps. Which this A.R.P has been hindered.
7. On 2-8-15. Plaintiff submit a A.R.P dated 2-10-15, See attached Exhibit -F, No orginal A.R.P Never made it to me.
8. On 6-5-15. I wrote a letter to Mr. Cooley A.R.P. Investigator at S.M.C.I, asking for my response, which he received it in his office 6-8-15. Again he forward to E.M.C.F dated 6-15-15 See attached Exhibit -G
9. And on 6-5-15, the orginal Filed copy of A.R.P, E.M.C.F 14-2486 response finally showed up. See Exhibit - H and the attached receipt copy showin that all dates and deadlines was on time.
10. On 7-14-15, Plaintiff submit an A.R.P to S.M.C.I, for failure to submit A.R.P E.M.C.F- 14-2486 back to them. Both Facilities are at fault for their hinderance on this A.R.P matter. See Attached Exhibit -I

Denial of Medical Care

1. Doctor Little stated on 1<sup>st</sup> Step response of A.R.P E.M.C.F - 14 - 2486. He stated. I will investigate the claim of events you have discussed in this A.R.P. I trust you are doing well and have recovered. When Nurse Inge noted the bleeding she immediately sent you out. I apologize if there was ANY delay. See attached copy of Exhibit - H, for further details.
2. The Administrative Nurse in Staff and Nurses on that night did act with deliberate indifference of the said incident. The court states to show deliberate indifference in Medical care cases which you see.
3. Prison officials knew about my serious medical need. After I request numerous of times to be moved to another zone and once I showed them my back. I passed out in front of the zone before they could enter the zone. They saw I lost a lot of blood and that I was in great pain. But I was made to lay on a hard floor for more than 7 hours before I got help.
4. They all failed to respond reasonably to this incident in getting me medical treatment.

5. Plaintiff further states that since the Medical Staff at E.M.C.F is Contraced with Wexford Health, they should be sued for their UNPROFESSIONAL TRAINING. Which constitutes deliberate indifference to the Plaintiff serious medical needs in violation of Eighth Amendment to the United States.
6. On 10-29-14, Doctor Stephen Tartt, M.D At Anderson Medical Center discharged me back to E.M.C.F. He ordered stating that my pain is uncontrollable by pain medications. Doctor Roland Abangan was giving that order. And once he did a walk threw, I let him know of how serious my pain was. And how I be stop breathing in my sleep. He said O.K and never provided anything to help me. This went on for a month and a half. Defendant Roland Abangan failed reasonably to provide medical treatment and ignored numerous of medical requests. Plus he had actual knowledge of all my medical problems and stab wounds.

Exhaustion of Administrative Remedies'

1. The Plaintiff has tried to Exhaust his Administrative remedies with respect to all claims all defendants. Do to the Administrative Remedy program, they had actual knowledge of the Medical Department causing unlawful deliberate indifference to me. Because for months at a time, I have filed A.R.P's back to back requesting for all response. But do to a big hindrance within the Administrative Remedy Department(s), Plaintiff never receive A.R.P-E.M.C.F-14-2486 on time.

See all attached exhibits and numerous of A.R.P's  
Filed by Plaintiff trying to get this response

2. Plaintiff received A.R.P on June 5, 2015, And  
it was back in the mail June 9, 2015. As inmate  
A.R. P receipt will show. See Exhibit - H with  
original A.R.P.

### Claims for Relief

1. The Failure of Defendants Nurse Dell, Nurse Cox  
Nurse Daniel, Nurse Brookshir, Doctor Roland Abangon  
and Medical Contracting Agency, constitutes  
deliberate indifference to the Plaintiff serious  
medical needs in violation of the Eighth Amendment  
to the United States Constitution.
2. The Failure of Deputy Warden Ray Rice and  
Lieutenant Brown, constituted deliberate indifference  
to the plaintiff AND other prisoners' safety. Contri-  
buted to AND proximately caused the above,  
described violation of Eighth Amendment rights  
AND inmate on inmate assaults, (Personal Safety )
3. Each Defendants in this report violated maliciously  
sadistically AND constituted cruel AND unusual -  
punishment AND constitutes the tort of deliberate  
indifference under the Law of Mississippi.

### Relief Requested

wherefore, Plaintiff requests that the Court  
grant the following relief:

1. Issue a declaratory Judgment stating that:

A. Defendants : Doctor Roland Abangau, Nurse Dell  
Nurse Cox, Nurse Daniel AND Wexford ACTIONS  
IN FAILING TO PROVIDE ADEQUATE MEDICAL CARE  
FOR THE PLAINTIFF VIOLATED AND CONTINUE TO VIOLATE  
THE PLAINTIFF RIGHTS UNDER THE EIGHTH AMEND-  
MENT TO THE UNITED STATES CONSTITUTION.

B. Defendants Deputy Warden Ray Rice ACTIONS OF  
RETALIATION AND Lieutenant Brown brief OF  
SECURITY ACTIONS AS WELL AS BOTH OF THE DEFEND-  
ANTS. THE FIRST AMENDMENT AND DUE PROCESS  
CLAUSE OF FOURTEENTH AMENDMENT TO THE UNITED  
STATE CONSTITUTION.

2. Award compensatory damages in the following  
amount :

A. \$100,000 jointly and severally against Defendants  
Doctor Roland Abangau AND Wexford AND Deputy  
Warden Ray Rice mentally and emotional injuries  
sustained AS A result OF the Plaintiff stabbing.

B. \$100,000 each against Doctor Roland Abangau  
AND Wexford FOR pain AND suffering resulting FROM  
Failure to provide adequate medical care to Plaintiff

C. \$50,000 against Lieutenant Brown for the  
Punishment including deprivation OF Liberty and  
Amenity AND emotional injury resulting FROM  
there denial OF Due Process IN CONNECTION WITH  
the defendants Deputy Warden Ray Rice  
retaliation ACTS.

3. Award punitive damages for physical and emotional  
injury. in the following amount.

A. \$50,000 each against defendants Nurse Cox, nurse Dell, Nurse Daniel, Nurse Brookshire And Wexford medical Providers, Mental AND Emotional Stress injuries.

B. \$50,000 against defendant Lieutenant Brown and Deputy Warden Ray Rice,

C. \$100,000 each against doctor Roland Abangan Wexford Health.

Grant such other relief as it may appear that plaintiff is entitled.

This the 19<sup>th</sup> day of Aug 2015.

Respectfully Submitted

IS/ Jeffrey J. Jackson  
#100300

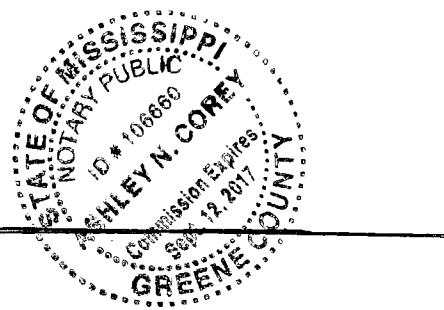
Furthermore, Premises Considered. Plaintiff prays  
that this Honorable Court will grant unto  
him the relief requested, so that Justice  
can be serve according to the Laws.

Swear and Subscribed before me this the  
19 day of Aug 2015.

Jeffrey J. Jackson  
Jeffrey J. Jackson #100300

Ashley N. Corey  
Notary Public

My Commission Expires



CERTIFICATE OF SERVICE

This is to certify that I, the undersigned, have this day and date mailed, via United States Mail, postage pre-paid, a true and correct copy of the foregoing and attached instruments to the following:

United States District Court  
Southern District of Ms  
501 E. Court Str, Suit 6.150  
Jackson, Ms., 39201

Elissa Francis Johnson  
Southern Poverty Law Center  
111 E. Capitol St Ste 280  
Jackson, Ms., 39201-2108

Juliane Denhard Miller  
Butler Snow LLP  
1020 Highland City Pkwy Ste 1400  
Ridgeland, Ms., 39157-2139

This the 19 day of Aug, 2015.

Jeffrey J. Jackson  
PETITIONER  
MDOC# 100300

S.M.C. I Area - 2  
Address

Leakesville, Ms.  
Address